

A QUARTERLY PUBLICATION OF THE TEXAS BOARD OF NURSING

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A Call to Education Programs to Assist with the COVID-19 Vaccination Effort

As vaccines arrive in our state to combat the devastating effects of COVID-19, schools of nursing are well-positioned to assist with this effort. While securing clinical learning experiences for students has been extremely challenging recently, the need for skilled and safe vaccine administration to large numbers of Texans presents an opportunity. To seize this opportunity, the Board of Nursing highly encourages that Practice-Academic Partnerships be created so that nursing students enrolled in a clinical nursing course who have been taught the principles of safe COVID-19 vaccine administration may do so under the supervision of faculty or a registered nurse who is serving as a preceptor for a school of nursing.

Some resources that may be helpful include:

 National Council of State
 Boards of Nursing Policy Brief and
 Resources for Practice-Academic
 Partnership: https://www.ncsbn.
 org/practice-academic-partnership.htm



• Relevant Board of Nursing Education Guidelines

Selection of Clinical Affiliate Agencies
Ratio of Faculty to Students in Clinical Learning Experiences Faculty to Student Ratios
Precepted Clinical Learning Experiences
Utilizing Clinical Teaching Assistants and Skills Lab Instructors
Utilization of Part-Time Clinical Nursing Faculty
Faculty Guide to Promoting Optimal Clinical Instruction

 Texas Department of State Health Services COVID-19 Vaccination Provider Registry: https:// txdshs.quickbase.com/db/bqx-23fgnu?a=td

• Current information available on the Texas Vaccination Plan can be found here: https://www. dshs.texas.gov/coronavirus/immunize/vaccine.aspx Board Staff will share additional information as it becomes available.

How to Become a COVID-19 Vaccinator

The Texas Department of State Health Services is calling on eligible facilities, organizations, or healthcare providers licensed to possess or administer vaccine or provide vaccination services to enroll to become a COVID-19 vaccinator.

The first step to becoming a COVID-19 vaccine provider is registering through **EnrollTexasIZ.dshs. texas.gov**. Only providers registered through this site can receive and administer the COVID-19 vaccine in Texas.

For additional information on COVID-19 vaccination efforts, please visit: https://www.dshs.texas.gov/ coronavirus/immunize/provider-information.aspx

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Allison Porter-Edwards Elected Vice-President of Texas Board of Nursing at October 2020 Board Meeting

Allison Porter-Edwards, DrPH, MS, RN, CNE, of Bellaire, was elected Vice President of the Texas Board of Nursing at the October 22, 2020 quarterly meeting. Governor Greg Abbott appointed Dr. Edwards to the Board representing baccalaureate education in July 2015 to serve a term that expires on January 31, 2021. Dr. Edwards serves as one of the lead faculty for the bachelor of science Pacesetter program at the University of Texas Health Science Center at Houston (UTHealth) School of Nursing.



Dr. Edwards is an honors graduate of The University of Texas Medical Branch at Galveston and earned her Mas-

ter's in Nursing Administration in 1992 at Texas Woman's University in Houston. She received her doctoral degree from The UTHealth School of Public Health in 2006.

In 2015, she achieved Certification for Nurse Educators (CNE) and is a member of the Developmental Disability Nursing Association and Sigma Theta Tau-Zeta Pi Chapter. In January 2017, Dr. Edwards was awarded the Joan and Stanford Alexander Endowment for Intellectual and Developmental Disabilities. In October 2020, she received a Hall of Fame award from the University of Texas Medical Branch.

Differentiated Essential Competencies of Graduates of Texas Nursing Programs Workgroup Meeting via Videoconference

On November 9, 2020, a virtual meeting of the Differentiated Essential Competencies of Graduates of Texas Nursing Programs (DECs) Workgroup was held. The workgroup is comprised of nursing education and practice stakeholders, representing 10 statewide organizations, who were formally appointed by the Texas Board of Nursing (Board) at the October 22, 2020, quarterly Board meeting. The purpose of the meeting was to offer a forum for the workgroup members to generate recommendations to update the DECs to assure inclusion of current practices, research, and advances in nursing.

Board Staff presented suggestions for revisions to the DECs 25 Core Competencies and the four nursing roles of the DECs: Member of the Profession, Provider of Patient-Centered Care, Patient Safety Advocate, and Member of the Health Care Team. New concepts and wording were considered to ensure the DECs reflect contemporary nursing education and practice. The workgroup discussed plans for distribution of the document with the goal of presenting the updated DECs at the January 2021 Board meeting.

Newly Approved Human Trafficking Training Courses

The Human Trafficking Prevention continuing education requirement created by House Bill (HB) 2059 took effect on September 1, 2020. All nurses involved in direct patient care must complete a human trafficking prevention course approved by the Executive Director of Texas Health and Human Services Commission (HHSC) before the end of every licensing period. Recently, HHSC approved additional courses to meet this requirement.

A list of approved trainings is available on the Health Care Practitioner Human Trafficking Training webpage at: https://hhs.texas.gov/services/safety/texas-humantrafficking-resource-center/health-care-practitioner-human-trafficking-training. Although it is not a requirement for a course to be approved, several courses offer Continuing Nursing Education (CNE) contact hours and many are free. CNE awarded for completing an approved course may count towards the 20 contact hours of CNE required for all nurses. Additionally, APRNs may use Category I Continuing Medical Education contact hours from an approved course towards renewal. Please reference the list of approved trainings for course details.



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Summary of Actions

A regular meeting of the Board of Nursing was held October 22, 2020, in Austin. The following is a summary of Board actions taken during this meeting.



In the **November 27, 2020**, edition of the *Texas Register*:

The Texas Board of Nursing (BON or Board) proposed amendments to §217.23, concerning Balance Billing Dispute Resolution. The proposed amendments are necessary to implement changes to the Insurance Code, effectuated by the passage of Senate Bill (SB) 1264 during the 86th Legislative Session, effective September 1, 2019. In order to protect consumers, SB 1264 prohibits balance billing by many out of network providers, except in a narrow set of circumstances. Additionally, SB 1264 authorizes a new dispute resolution process for claim disputes between out of network providers and health benefit plan issuers and administrators. These proposed amendments may be viewed at https://www. sos.state.tx.us/texreg/pdf/backview/1127/1127prop.pdf

All public comments were due no later than December 28, 2020.

In the **December 4, 2020**, edition of the *Texas Register*:

The Board proposed amendments to §217.7, relating to Change of Name and/or Address. On June 15, 2020, the Board launched the Texas Nurse Portal. The Texas Nurse Portal is a paperless. online system that allows individuals to apply for nurse licensure by examination, endorsement, or renewal. In an effort to continue moving the Board's workflow to a paperless system, the proposed amendments require all name and address changes to be made online through the Texas Nurse Portal. These proposed amendments may be viewed at https:// www.sos.state.tx.us/texreg/pdf/backview/1204/1204prop.pdf

All public comments are due no later than January 4, 2020.

In the **December 11, 2020**, edition of the *Texas Register*:

The BON published its notice to review the following chapters pursuant to its adopted Rule Review Plan:

Chapter 213. Practice and Procedure, §§213.1 -213.35

Chapter 216. Continuing Competency, §§216.1-216.11

Chapter 221. Advanced Practice Nurses, §§221.1 -221.17

In conducting its review, the Board will assess whether the reasons for originally adopting these chapters continue to exist. Each section of these chapters will be reviewed to determine whether it is obsolete, whether it reflects current legal and policy considerations and current procedures and practices of the Board, and whether it is in compliance with Chapter 2001 of the Government Code (Administrative Procedure Act). In addition to this Rule Review, the Board has separately proposed editorial amendments to 22 Tex. Admin. Code §213.1, relating to Definitions, and §213.20, relating to Informal Proceedings and Alternative Dispute Resolution (ADR). These proposed amendments will be published in the December 18, 2020, edition of the Texas Register.

This notice may be viewed at https:// www.sos.state.tx.us/texreg/pdf/backview/1211/1211rev.pdf

All public comments are due no later than January 11, 2020.

Nursing Education Actions - October 2020 Board Meeting

Reviewed Reports:

Status Report on New Nursing Education Programs and Currently Active and Potential Proposals

Status Report on Programs with Sanctions

Report on Communication Activities with Nursing Education Programs

Review of the 2019 Self-Study Reports – Professional Nursing Education Programs

Report of Status of Board-Approved Advanced Practice Registered Nursing Educational Programs

Approved Report of Virtual Survey Visit:

Amarillo College – Vocational Nursing (VN) Education Program in Amarillo

Notification of Award of National Nursing Accreditation by the Accrediting Commission for Education in Nursing:

Stephen F. Austin State University – Family Nurse Practitioner Program in Nacogdoches

Approved Change in Approval Status from Conditional Approval to Initial Approval:

St. Philip's College – Associate Degree Nursing Education Program in San Antonio

Approved Change in Approval Status from Initial Approval to Conditional Approval:

CyberTex Institute of Technology – VN Education Program in Austin

Reviewed Proposal for New Baccalaureate Degree Nursing (BSN) Education Program in a Public Community College

Trinity Valley Community College in Terrell

Approved Proposal for New Nursing Education Program:

Sul Ross State University – BSN Education Program in Alpine

Telehealth and Nursing Education: Remote Patient Monitoring Clinical Site Application

by Mari Tietze, PhD, RN-BC, FHIMSS, FAAN, Shelley Hawkins, PhD, RN, FNP-BC, GNP, FAANP, and Devin McElreath, BSN, RN

Telecommunication reaches out to the previously unreachable rural areas of our country (Darkins & Cary, 2000). Remote care, as pointed out in The Future of Nursing, a report by the Institute of Medicine/Robert Wood Johnson Foundation (Institute of Medicine, 2011), predicted that shifts in time and place of care have significant implications for nursing. This suggests that nursing may be delivered remotely, similar to electronic health records (EHRs), computer provider order entry (CPOE) systems, lab results, imaging systems, and pharmacies that are linked in the exchange networks (Institute of Medicine, 2011). There is a growing body of literature suggesting that connected health such as telecommunication technology including telehealth can make health care more efficient by electronically connecting clinicians to clinicians, patients to clinicians, and patients to other patients (ANA Enterprises, 2019). The purpose of this paper is to explore options for teaching nursing students about telehealth by proposing creation of a comprehensive clinical site environment based on remote patient monitoring (RPM).

Definition and Trends

Definitions

Telehealth is generally considered an "umbrella term" for several modalities of telehealth.

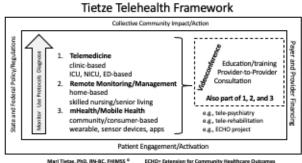
- Telehealth: the use of electronic information and telecommunications technologies to support and promote longdistance clinical health care, patient and professional healthrelated education, public health and health administration.
- Technologies include: videoconferencing, the internet, store-and-forward imaging, streaming media, and terrestrial and wireless communications (ANA Enterprise, 2018, para 1).

As such, telehealth applications include live synchronous videoconferencing, remote patient monitoring, and mobile health (ANA Enterprise, 2018). Through the teaching of telehealth to nursing students and other allied health professions, for the past seven years, the authors noted that the students could ideally learn about telehealth when the modalities were clearly delineated. As such, one conceptual model, the *Tietze* Policy/Reg Telehealth Framework was State and Federal devised. By visually depicting the main telehealth modalities, the distinctions were clinically meaningful, and the curriculum content could be likewise organized.

For the purpose of this article, the term "telehealth" is intended to encompass three broad methods of digital care delivery that are "away" from the patient:

- Telemedicine (stationary scheduled remote diagnostics of health status)
- Remote management/monitoring/coaching (stationary home or facility-based, with scheduled and as-needed remote transmission of health status)
- Mobile health (mHealth) "com-3. munity" groups/social media (wearable mobile patient-generated health data with scheduled and as-needed remote transmission of health status) (Tietze & Brown, 2019). Figure 1 provides a schematic representation of these telehealth components, with the level 1 telemedicine being the diag nostic in nature, level 2 remote patient monitoring/management (RPM) being trend monitoring in nature, and level 3 mobile health being data collection in nature. Then, throughout all three methods of telehealth, videoconferencing is used, for example, for tele-psychiatry where additional peripheral equipment is not needed to provide the service (American Psychiatric Association, 2020).

Figure 1. Schematic of the Tietze Telehealth Framework displaying component methods of care delivery



Pandemic-Related Trends and Impact on Nursing Practice

With the advent of the coronavirus pandemic, telehealth has grown exponentially (KlasResearch.com, 2020). This growth was primarily fueled by an 1135 waiver emergency declaration of March 1, 2020 (Centers for Medicare and Medicaid Services, 2020). Via the Coronavirus Aid. Relief. and Economic Security Act (CARES Act), which broadens the waiver authority under section 1135 of the Social Security Act, the Secretary had authorized additional telehealth waivers. As such, CMS waived the provider requirements for Medicare telehealth services from the distant site. The waiver of these requirements expands the types of health care professionals that can furnish distant site telehealth services to include all those that are eligible to bill Medicare for their professional services (Centers for Medicare and Medicaid Services, 2020).

Establishing Clinical Partnerships is Critical

Trends in patient care services will affect nursing practice, and as such, nursing education should be prepared to support the practice (ANA Enterprises, 2019). In terms of industry, however, nursing education should embrace the opportunity to partner with necessary service so that students may receive "real-world" experience. According to industry reports, for example, RPM services is in large demand and so are the associated clinicians (KLAS, 2019).

Telehealth and Nursing Education - continued from previous page

Teaching Telehealth to Nursing Students

When planning for nursing students' telehealth experiences, some things about clinical site management are the same, and others are very different (ANA Enterprises, 2019). For example, preparing the student for the clinical site characteristics and activities are similar but approach to preparation differs because the clinical site and the associated activities are remote.

The authors recognized three main components of the remote clinical site experience preparation: contractual agreement (A), instructors with locations (B and C), and clinical content with sequence (D). The relationship among those components must further be customized for the program level, the health condition, and the patient population characteristic. For example, the RPM clinical site experience should be customized for the bachelor's nursing student level, focused on the condition of heart failure management, and specific to the elderly population.

Contractual Agreement [Component A]

The typical Clinical Learning Agreement, or academic affiliation agreement, will contain dozens of components on behalf of the College of Nursing (CON), the clinical site and/ or both. Some of the key agreement components are:

- Recitals
- Responsibilities of the nursing program
- Responsibilities of Other
- Mutual Responsibilities
- Term and Terminations
- EHR Product Restrictions
- Customer Consent
- Clinical Monitoring Services
- Privacy Terms and Conditions
- Health Insurance Portability and Accountability Act (HIPAA)

The *Clinical Site Schedule* is also important to determine on behalf of both the CON and the clinical sites. There will likely be limits for both parties and so determining the mutually allotted time requires advanced planning. In addition to the instructors' scheduling, the patient who will be involved with the clinical experience must also be determined ahead of time.

Instructors with Locations [Component B and C)

Instructors, or preceptors, from the RPM clinical site organization are considered the clinical expert for the clinical site experience. There are two instructors from the CON, one who is knowledgeable in telehealth and RPM and one who is knowledgeable in the course track content. Faculty and students may be operating from home, campus, or a clinical site equipped with RPM technology. The software programs and technical interfaces required for documentation of the clinical site activities must also be identified and reflected in the agreement.

Role of All Nurses in Telehealth

Although this article addressed the practice of the BSN and graduate level students in telehealth, nursing roles for the associate degree nurse and the vocational nurse also exist. For example, RPM tends to be driven by protocols and it also tends to be interprofessional in nature (KLASresearch.com, 2019). In the current state of the industry, the providers of these services identify the specifics of the roles for each member of the team. Much of the role specifics is based on the customer need. Again, this emphasizes the importance of the relationship and/or partnership between academia and the industry supplier of these services. Commonly the vocational nurse is important for the screening of the patient as they prepare for the RPM visit. The medication reconciliation process, for example, is key to the success of the RPM visit. Similarly, the associate degree nurse's role can be driven by the protocols used in a given RPM service organization.

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Practice Questions and Answer

Whether you're a newly licensed nurse, a seasoned nurse, or are new to nursing practice in the State of Texas, the Texas Board of Nursing (BON or Board) encourages **all** nurses to become informed about the Safe Harbor Nursing Peer Review (SHNPR) process. Questions that have emerged in relation to safe harbor during the current state of disaster are included in this practice Q&A along with general SHNPR questions and various resources linked via QR code to the BON website.

Q: What is safe harbor?

Safe harbor is a nursing peer review process that any licensed vocational nurse (LVN), registered nurse (RN), and/or advanced practice registered nurse (APRN) may initiate when asked to engage in an assignment or conduct that the nurse(s) believes in **good faith** would potentially result in a violation of the nurse's duty to a patient or be a violation of the Nursing Practice Act (NPA) or Board rules [NPR Law 303.005; and Board Rule 217.20(a)(15)].

For general Safe Harbor Nursing Peer Review info, scan here!



Q: Who can invoke safe harbor?

Nurses, LVNs, RNs, and APRNs, who are employed by an organization that is required by Nursing Peer Review (NPR) Law (discussed further in the next question) to establish a nursing peer review committee may choose to invoke safe harbor if requested to engage in conduct that the nurse(s) believes

SAFE HARBOR: THE WHO, WHAT, WHEN, WHERE, AND HOW

by Alexandria Chamberlain, MSN, RN

violates a nurse's duty to a patient [NPR Law 303.005; and Board Rule 217.20(a)(15)].

Q: Who is required to have a nursing peer review committee?

A person must establish a nursing peer review committee to conduct nursing peer review in accordance with NPR Law (Chapter 303 of the *Texas Occupations Code*) and the NPA (Chapter 301 of the Texas Occupations Code):

- for LVNs: if the person regularly employs, hires, or contracts for the services of eight (8) or more nurses; and
- for RNs or APRNs: if the person regularly employs, hires, or contracts for the services of eight (8) or more nurses, at least four (4) of whom are RNs. APRNs hold RN licensure and are counted in the total number of RNs.

Did you know? A person required to establish a nursing peer review committee under this section may contract with another entity to conduct the nursing peer review for the person.

For Frequently Asked Questions (FAQs) about Nursing Peer Review including Safe Harbor, scan here!



Q: What if a nurse chooses to invoke safe harbor during a state of disaster declaration (i.e., pandemic)? Safe harbor protections for the nurse remain the same during a state of disaster and/or pandemic; thus, a person required to have a nursing peer review committee cannot deny a nurse the right to invoke safe harbor. Currently, no waivers or rule changes have occurred to Board Rule 217.20 and Chapter 303 of the Texas Occupations Code (NPR Law) as a result of the current pandemic. Board staff recommend nurses frequently check the BON website for the latest updates related to the COVID-19 state of disaster.



Q: Can a nursing peer review committee meet virtually during a state of disaster?

There is nothing in the NPA or Board Rules that prohibits a nursing peer review committee from meeting virtually. The nursing peer review committee would need to ensure it can satisfy the requirements of confidentiality and due process found in the NPA and Board's Rules as well as fullfill the requirements of their own nursing peer review policies in order to conduct SHNPR virtually.

For FAQs relating to Nursing Practice in Disaster Areas, scan here!



Q: When I consider invoking safe harbor, is there a difference between accepting the assignment and refusing the assignment?

The BON urges each nurse to consider his/her duty to the patient(s) as the highest priority in making any determination to accept or refuse an assignment or requested conduct. The nurse's ability to invoke safe harbor protections and his/her right to have a nursing peer review committee evaluate the requested assignment remain the same whether the nurse accepts or refuses the assignment.

Accepting the Assignment

In situations when nurse(s) feel their duty to a patient may be violated, safe harbor can assist by allowing the nurse(s) to <u>accept an assignment</u> without fear of Board disciplinary action as they try to deliver the best care possible to the patient(s).

Patients are better off with the nurse accepting the assignment and providing care to the best of his/her ability than without the nurse providing any care at all in the vast majority of cases.

Refusing the Assignment

Board Rule 217.20(g) clarifies that a nurse should invoke safe harbor and refuse the assignment or requested conduct, pending a Safe Harbor Nursing Peer Review determination, if the requested assignment or conduct is one that:

- 1. Constitutes a criminal act;
- Constitutes unprofessional conduct;
 The nurse lacks the basic knowledge, skills, and abilities to deliver nursing care that is safe and that meets minimum standards of care to such an extent that accepting the assignment would expose one or more patients to an unjustifiable risk of harm.

Q: What if I choose to invoke safe harbor and refuse an assignment because my supervisor requests I transition to an area of practice that varies significantly from my current area of practice during a state of disaster?

In situations where a nurse refuses to engage in certain conduct or a requested assignment because he/ she believes it is beyond his/her basic knowledge, skills, and abilities (i.e., scope of practice), then **Board Rule 217.20**(g)(2) requires the nurse and supervisor to **collaborate** in an effort to identify an assignment that "is within the nurse's scope and enhances the delivery of safe patient care." *Clear communication* between staff and supervisors is essential to arrive at solutions that best focus on patient care needs without compromising either patient safety or a nurse's license. The results of this collaborative effort must be documented in writing and maintained in nursing peer review records by the chair of the nursing peer review committee [Board Rule 217.20(g)(2)].

During a disaster, RNs or LVNs may be requested to transition to unfamiliar roles and/or patient care settings where the patient population differs greatly from the RNs' or LVNs' current or most recent area of nursing practice. These circumstances can be challenging for both the nurse and the employer. Board Rule 217.11 Standards of Nursing Practice requires that when assignments are made, both the nursing supervisor and staff nurse take into consideration client safety, as well as the educational preparation, knowledge, skills, and physical and emotional abilities of the individual licensed nurse to whom a given assignment is being made.

For Guidelines for Transitioning of the Experienced Nurse back into Clinical Practice or into a New Practice Setting, scan here!



Did you know? There are additional considerations for APRNs who are asked to work in the role of an RN to assist in RN staffing during a disaster. All APRNs are first licensed as RNs, and they are required to maintain RN licensure in order to maintain advanced practice licensure; thus, APRNs are not prohibited from accepting continued from previous page

an assignment that is within the scope of practice of an RN [**Board Rule 221.12(2)**]. When the APRN is working in the RN role, scope of practice is *limited* to that of the RN and they may not cross over into APRN scope and engage in activities such as medical diagnosis and ordering or prescribing when practicing in the RN role. In addition, the RN who holds current licensure as an APRN will be held to the highest level of his/her education and competency.

See BON Position Statement 15.15 Board's Jurisdiction Over a Nurse's Practice in Any Role and Use of the Nursing Title, scan here!



Q: What happens if my supervisor is able to remedy the situation after our collaboration (such as giving me an assignment that is within my scope), do I have to withdraw my request for a nursing peer review committee evaluation?

Nurses have the option to sustain or withdraw the request for safe harbor nursing peer review after collaboration with the nursing supervisor. The requested conduct or assignment that prompted the safe harbor invocation can either be satisfactorily resolved (and no longer believed to be a violation of a nurse's duty to a patient) or remain unresolved (and still believed in good faith to be a violation of a nurse's duty to a patient). Even if a satisfactory solution and appropriate assignment is arranged as a result of the collaboration be-

tween the nurse and supervisor, the nurse who invoked safe harbor still has the option to proceed, or not to proceed, with the request for a nursing peer review committee determination of whether the requested conduct or assignment would have violated a nurse's duty to a patient.

Q: What if my employer has threatened to report me to the Board citing patient abandonment because I invoked safe harbor and refused an assignment during a state of disaster?

Anyone can report a nurse to the Board at any time for any reason (e.g., patient abandonment or a nursing supervisor who acts in bad faith by denying a nurse due process to invoke safe harbor). A determination of violation of the NPA and/or Board rules requires a complaint driven investigation by the Board. Remember, an employer required to have a nursing peer review committee cannot deny a nurse the right to invoke safe harbor if done in good faith.

During an emergency, including but not limited to disasters, nurses may have to choose between the duty to provide safe patient care and protecting the nurse's own health. These situations are challenging for nurses and their employers, therefore the Board recommends policies and procedures be developed to provide clear guidance and direction to nurses to ensure patients receive safe and effective care. In any disaster setting, the patients are almost always better off with the nurse than without the nurse.

Did you know? A nurse's duty to a patient is not defined by any single event such as clocking in or taking report. From a BON standpoint, the focus for disciplinary sanctions is on the *relationship* and *responsibility* of the nurse to the patient, not to the employer or employment setting. There is a distinction between a nurse leaving an employment setting versus a nurse violating a duty to a patient through leaving an assignment.

See BON Position Statement 15.6 Board Rules Associated with Alleged Patient "Abandonment", scan here!



Q: What if I feel like my work is hard enough already with a current state of disaster, and now my employer wants me to adhere to new policies and procedures; can I invoke safe harbor because I don't agree with these changes?

Safe harbor must be invoked in good faith which means that it must be requested honestly, with good intentions to protect the patient, and in consideration of the nurse's duty to the patient. In other words, the motive for requesting safe harbor cannot be predicated on a personality confilict, retaliation, or misrepresentation of facts. It must be grounded in truth, based upon the assessment of risk to the patient and possible violation of the duty of the nurse to promote patient safety.

Did you know? It's the nurse's responsibility to recognize the nurse's "Duty to the Patient." Nurses are educated and trained to assess signs and symptoms, minute changes in conditions and circumstances. These keen assessment skills help the nurse recognize when unsafe assignments continued from previous page

are made or when an assignment changes, creating an unsafe situation. To have appropriate grounds for invoking safe harbor, the nurse must believe in **good faith** that the requested conduct violates his/her duty to keep patients safe.



Q: How do I invoke safe harbor?

Invocation of Safe Harbor Protections, in accordance with Board Rule 217.20(d), must be done:

- ✓ At the time the nurse is requested to engage in the activity,
- Prior to engaging in the conduct or assignment, and
- ✓ The nurse must notify the supervisor making the assignment that the nurse is invoking safe harbor.

Did you know? Invoking safe harbor is not just for nurses providing direct patient care. Safe harbor can also be invoked by nurse administrators or nursing faculty.

Q: When I have completed my shift (after I invoked safe harbor and accepted the assignment), can I leave and come back on another day to finish the paperwork?

No. A detailed written account of the safe harbor request that meets the requirements of the **Compre**hensive Written Request for Safe Harbor Nursing Peer Review must

Quick Request Form

The nurse may use the BON Safe Harbor Quick Request Form or may use any other means of recording the initial request for safe harbor in writing with the minimum information required under Board Rule 217.20(d)(3).

Verbal Request

If a nurse is unable to complete a Safe Harbor Quick Request or other written form meeting the requirements for a Safe Harbor Quick Request due to immediate patient care needs, the nurse may orally invoke safe harbor by notifying the nurse's supervisor of the request [NPA sec 303.005(b-1)&(b-2)].

be completed **before** leaving the work setting at the end of the work period [Board Rule 217.20(d)(4)]. In addition, a nurse who chose to orally invoke safe harbor must also sign and attest to the **Safe Harbor Quick Request** documentation completed by the supervisor to whom the nurse verbally requested safe harbor.

Q: Where do I send my safe harbor request? Should I fax it to the BON?

Please DO NOT mail or fax your request for safe harbor to the Board. The BON does not conduct nursing peer review. SHNPR must be done through the nursing peer review committee at the facility or agency where the conduct was requested/assignment was made. The SHNPR forms provided by the BON are meant to be a helpful resource to ensure you include all of the necessary information in your request. You are not required to use the forms provided by the BON; however, your request (by the end of the day) must be written and include the information outlined in **Board Rule 217.20**(d).

Q: What happens after the nurse(s) submits all the requirements of the safe harbor forms to his/her supervisor before the end of the work period? Scan here for BON Safe Harbor Forms



The nurse's supervisor should promptly submit the Safe Harbor Quick Request and Comprehensive Written Request for SHNPR, along with the accompanying documents supplied by the nurse(s) invoking safe harbor, if any, to the safe harbor nursing peer review committee chair. The safe harbor nursing peer review committee (Committee) must complete its review and notify the chief nursing officer (CNO) or nurse administrator of its findings within 14 calendar days of when the nurse invoked safe harbor. NOT 14 calendar days from when the Committee received the safe harbor forms. Then, within 48 hours of receiving the Committee's determination, the CNO or nurse administrator must review the Committee's findings and notify the nurse(s) requesting safe harbor of both the committee's determination and whether the CNO believes in good faith that the committee's findings are correct or incorrect.

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Q: When I invoked safe harbor, I was not provided due process. What can I do if my employer is not conducting their nursing peer review process according to the BON rules and regulations?

Board staff recommend a collegial conversation between the nurse and his/her chain of command as a reminder of the intent of safe harbor, to bring to light a patient safety issue. If such a conversation does not result in due process for the nurse and/or nursing peer review is not conducted according to the BON rules and regulations, the nurse has a few options related to reporting in order to ensure patient safety. Again, the focus of this reporting would be that attempts to remedy the patient safety issue within the facility have not occurred due to a failure to properly implement the nursing peer review process.

If the facility has a CNO or nurse administrator, Board Rule 217.20(j) (1) states that the CNO or nurse administrator of a facility, association, school, agency, or of any other setting that utilizes the services of nurses is responsible for knowing the requirements of the Board's Rules and for taking reasonable steps to assure that nursing peer review is implemented and conducted in compliance with the NPA and the NPR law. Therefore, the nurse could report the CNO or nurse administrator to the Board.

Additionally, if there is no CNO or nurse administrator, and the patient safety issue remains unresolved, a nurse should remember that under **NPA Section 301.402**, nurses are 'mandatory reporters' and shall report to the Board if the nurse has reasonable cause to suspect that another nurse has engaged in conduct subject to reporting. The nurse's duty to

comply with mandatory reporting requirements is a licensure-related function that is separate from that of an employer. The definition of conduct subject to reporting can be found in **NPA Section 301.401**.

Finally, if the facility itself is cause for the patient safety issue that remains unresolved. the NPA contains information related to the topic of reporting in Subchapter I **Reporting Violations and Patient** Care Concerns. Within this chapter, Sec. 301.4025 discusses an optional report by a nurse. If a nurse has reason to believe that a facility is failing to abide by the regulatory requirements applicable to that facility and is therefore jeopardizing patient safety, the nurse may make an optional written report to the appropriate licensing board or accrediting body as addressed by NPA Section 301.4025 (Optional *Report by Nurse*). It is important to note that in some instances, specific practice settings have requirements for the establishment of nursing peer review within the laws and rules of the practice setting. So this type of report could include a report of the safety issue in addition to a report surrounding the failure to establish nursing peer review. A nurse should also be aware of their whistleblower protections found in NPA Section 301.412 Retaliatory Action.

Did you know? Nursing professional organizations, such as the **Texas Nurses Association** can also offer additional information and advocacy related to protections for the nurse and the employment setting. While the Board cannot address employment issues, professional nursing organizations exist to serve their members and may be able to provide nurses with additional guidance.

For information on How to File a Complaint, scar here!	ì

Q: Where on the BON website can I find more information about safe harbor?

Hyperlinks to resources on the **BON website** that provide a comprehensive description of Safe Harbor Nursing Peer Review have been included below:

Nursing Peer Review/Incident-Based and Safe Harbor- (https://www.bon.texas. gov/practice_peer_review.asp)

- Nursing Practice in Disaster Areas: Frequently Asked Questions- (https://www.bon. texas.gov/covid-19practicefaq. asp)
- Frequently Asked Questions -Nursing Peer Review- (https:// www.bon.texas.gov/faq_ peer_review.asp)
- BON Safe Harbor Forms https://www.bon.texas.gov/ forms_safe_harbor.asp and https://www.bon.texas.gov/ updatedSafeHarborNursingP eerReview.asp which includes an informational video outlining the new Safe Harbor forms
- New Online Module Nursing Peer Review - Safe Harbor Nursing Peer Review and Whis-

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tleblower Protections: https:// www.bon.texas.gov/catalog/. This course will help provide guidance to nurses, nurse administrators, and nursing peer review committees about the Safe Harbor Nursing Peer Review process, along with 1.3 continuing nursing education contact hours.

 If you do not locate the information you need or still have questions, e-mail the Board at: webmaster@ bon.texas.gov for additional information.

The BON continues to urge nurses to remain vigilant in protecting their patients and advocating for patient safety while welcoming collegial and collaborative communications with supervisors in order to find safe solutions for patient care. When safe harbor is invoked in good faith, the nurse essentially announces the potential risk to the patient and details where the conduct may violate the nurse's duty to the patient. The nurse is protected from disciplinary action and the conduct or assignment in question is provided review by the nursing peer review committee. The BON encourages **all** nurses to remember that the overall goal for safe harbor is to problem solve in the interest of patient safety.



NOTICE OF DISCIPLINARY ACTION

The following nurses had disciplinary action taken against their licenses through a Board order containing public information about the nurse's disciplinary action. While every effort is made to ensure the accuracy of this information, the Board's licensure verification system should be utilized for verification. You can obtain information about these disciplinary actions from the Board's website, www.bon.texas.gov, using the verification look-up under Licensure or under the disciplinary action section of Discipline & Complaints. Under Licensure, select Verification then click on the applicable type of license type; Discipline & Complaints, select Disciplinary Action then select individual newsletter date. Additionally, you can send your written request to the Texas Board of Nursing, Enforcement Division, 333 Guadalupe, Suite 3-460, Austin, Texas 78701-3944.

Name	License Numbers	Discipline	Action Date	Name	License Numbers	Discipline	Action Date
Abdullah, Helena June	LVN 102631	Voluntary Surrender	8/24/20	Dawkins, Marshall Thomas	AP130874, RX 20368 & RN 763355	Remedial Education, Deferred	8/11/20
Abu, Moyosore	RN 710694	Reprimand with Stipulations	10/22/20	Day, Stephanie Deanne	RN 797133 & LVN 217027	Warning with Stipulations	10/22/20
Adam, Heather Gwen	RN 919694	Warning with Stipulations, Deferred	9/8/20	Deiparine, Rowena Rivera	RN 870822	Voluntary Surrender	8/10/20
Aguilar, Princess Lanelle	LVN 209791	Warning with Stipulations	10/22/20	Delagarza, Izamar	RN 849195	Remedial Education with Fine	9/4/20
Allen, Laura	RN 632395	Enforced Suspension	9/10/20	Delosrios, Cesar Augusto	RN 662510	Reprimand with Stipulations	8/18/20
Almaguer, Omar Jesus	RN 697124 & LVN 164390	Reprimand with Stipulations	9/8/20	Demonbrun, Andrea	AP129668, RX 19340 & RN	Remedial Education with Fine	9/3/20
Amador, Alejandra Marie	RN 892484	Reprimand with Stipulations	8/18/20	Galaviz	800982 Ap115265, RX 7162 & RN		
Anthony, Haleigh Ruth	RN 902996	Reprimand with Stipulations	9/8/20	Deneui, Terri Jenai	637677	Warning with Stipulations	8/18/20
Arick, Kaylee Nikole	RN 921634	Remedial Education, Deferred	8/28/20	Devel, Brenda Kae	RN 708569 & LVN 189215	Warning with Stipulations	9/8/20
Asare, Charlotte Darkoa	RN 957030	Remedial Education with Fine	8/31/20	Devaney, Debora Ann	RN 622098	Reprimand with Stipulations	10/22/20
Baker, Beth Anne	AP106605 & RN 517022	Voluntary Surrender	8/11/20	Diagne, Glenda Reed	RN 754224	Revoked	8/18/20
Baker, Brenda Lee	RN 607984 & LVN 102507	Revoked	8/18/20	Dicken, Jaimi Delane	LVN 205138	Remedial Education	10/14/20
Ballenger, Arlene Marie	RN 756866	Voluntary Surrender	9/8/20	Dickey, Ricki Ann	RN 729172	Remedial Education, Deferred	9/15/20
Barnes, Michael John	RN 866534	Reprimand with Stipulations	9/8/20	Dowell, Mark Glenn	LVN 163545	Warning with Stipulations	10/22/20
Beason, Lorella J.	LVN 108555	Revoked	8/18/20	Duncan, Leeann	LVN 310691	Warning with Stipulations	8/18/20
Bell, Donnie Franklin	LVN 338289	Voluntary Surrender	8/28/20	Ekperi, Brenda	RN 852924	Remedial Education	10/12/20
Bello, Christianah Omolara	RN 938895	Enforced Suspension	10/22/20	Nkechinyere Elsafi Mayra Paquel	LVN 207405		8/18/20
Belz, Gregory Lee	RN 791576	Warning with Stipulations	9/8/20	Elsafı, Mayra Raquel		Warning with Stipulations	
		and Fine		Emmert, Kevin Cade	RN 926122	Remedial Education with Fine Warning with Stipulations,	8/25/20
Bengel, Cory Alan	LVN 352218	Enforced Suspension	9/16/20	Endris, Fathi	RN 942716	Deferred	10/22/20
Benton, Charlene Denise	RN 521349	Warning with Stipulations	10/22/20	Faison, Linda Faye	LVN 116268	Probated Suspension	9/8/20
Berkshire, Yvonne Marie	LVN 345312	Limited License	8/18/20	Farek, Jennifer Sue	RN 769702	Warning with Stipulations	10/22/20
Berry, Amanda Lynn	RN 712451	Remedial Education with Fine	8/25/20	Fawcett, Jason Alan	RN 909119	Remedial Education with Fine	10/9/20
Bertholf, Darlene Jada	RN 792664	Warning with Stipulations, Deferred	8/18/20	Fisher, Robert Theodore	LVN 215428	Remedial Education	8/10/20
Bollinger, Melissa McDade	LVN 227360	Warning with Stipulations	10/22/20	Fontenot, Seth Paul	LVN 308175	Revoked	8/18/20
Border, Kristyn Denise	LVN 324168	Enforced Suspension	9/1/20	Fortier, Melissa Charmaine	RN 819161	Enforced Suspension	8/4/20
Bowers, Peggy Sue	LVN 304549	Reprimand with Stipulations	8/18/20	Gallini, Dawn	RN 830144	Warning with Stipulations	9/8/20
Bowman, Darrell Webster	RN 960717 & LVN 217310	Warning with Stipulations	8/18/20	Garcia, Belinda Martinez	LVN 211846	Probated Suspension	8/18/20
Broussard, Shawn	RN 648181 & LVN 156378	Warning with Stipulations	9/8/20	Garcia, Mercedes Leighann	LVN 345152	Warning with Stipulations	9/8/20
		and Fine	8/18/20	Gary, John Alexander	RN 898496	Limited License	10/22/20
Brown, James Marcus	LVN 152565	Warning with Stipulations		Gonzales, Dianna	RN 819999	Revoked	8/18/20
Bryant, Atavia Sharde	LVN 349828	Reprimand with Stipulations	10/22/20	Gossett, Yolanda Sojo	RN 671319	Revoked	10/22/20
Burkhalter, Charles Leroy	LVN 144904	Voluntary Surrender	8/7/20	Green, Timothy David	RN 703857	Probated Suspension	10/22/20
Burt, Amy	LVN 310401	Revoked	8/18/20	Guzman, Dandra	RN 961651	Warning with Stipulations	10/22/20
Butler, Brenda Jean	RN 604550	Probated Suspension Revoked	10/22/20	Haefner, Stacy Diane		and Fine Warning with Stipulations	
Carothers, Georgia Ann	LVN 130042		8/18/20	Hailey, Kristin Leigh	RN 655204 & LVN 165415	Reprimand with Stipulations	9/8/20
Carper, Lexi Jill	RN 645665	Remedial Education with Fine	8/5/20	<i>.</i>			8/18/20
Cisneros, Gerardo	AP129941 & RN 802769	Reprimand with Stipulations	9/8/20	Hall, Daniel Blaine	RN 883513	Voluntary Surrender	8/10/20
Claiborne, Kevin Scott	RN 980664 & LVN 339117	Warning with Stipulations	10/22/20	Hall, Gary Canard	LVN 341846	Remedial Education	9/16/20
Clemencich, Margaret Shay	KN 861241	Warning with Stipulations Warning with Stipulations	8/18/20	Hanna, Kayla Renee	LVN 311318	Warning with Stipulations	10/22/20
Coburn-Jackson, Kenya	RN 835696	and Fine	8/18/20	Harraid, Jonathan Ross	RN 678146	Revoked	10/22/20
Cole, Michael Adewunmi	LVN 233597	Probated Suspension	8/18/20	Harris, Kimber Leigh	LVN 337599	Warning with Stipulations	8/18/20
Cooper, Melanie Williams	RN 870488	Warning with Stipulations	9/8/20	Harris, Leslie Gail	RN 726513	Reprimand with Stipulations	10/22/20
Copeland, Danielle	RN 929020	Reprimand with Stipulations	8/18/20	Hastings, Bruce Daniel	RN 812886	Remedial Education	9/15/20
Elizabeth Cox Jania Doolynn				Heard, Bridget Jeanne	AP128649, RX 18401 & RN 875909	Warning with Stipulations and Fine	9/8/20
Cox, Janie Deelynn	RN 765632	Probated Suspension	9/8/20	Hebert, Brett M.	RN 982568	Remedial Education	9/28/20
Cruz, Ernest Jared	RN 860355	Probated Suspension	10/22/20	Hemphill, Gillian Elisabeth	RN 812892	Revoked	10/22/20
Curtis, Lori Janette	LVN 177409	Revoked	7/14/20	Henderson, Julie E.	RN 614305	Reprimand with Stipulations	9/8/20
Davis, Latricia Marie	LVN 302458	Reprimand with Stipulations	8/18/20	•		· ·	

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DISCIPLINARY ACTION

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Name	License Numbers	Discipline	Action Date	Name	License Numbers	Discipline	Action Date
Hendrix, Monique Lavon	LVN 210943	Warning with Stipulations	10/22/20	McElroy, Stephanie Ann	RN 729631	Warning with Stipulations	10/22/20
Henley, Prisca Kalu	LVN 168738	Revoked	12/21/18	McMullen, Celia Garcia	RN 774803	Revoked	9/8/20
lernandez, Dinorah Jael	RN 878907	Probated Suspension	8/18/20	McNeill, Bridgett Latrese	RN 709306	Probated Suspension	10/22/20
terrell, Emily Jannain	RN 739654	Reprimand with Stipulations	8/18/20	McTigrit, Carlton Labrian	RN 957342	Enforced Suspension	9/11/20
Herrera, Irma	RN 803407 & LVN 209129	Remedial Education with Fine	10/1/20	Mendoza, Leah Rhodora	RN 583609	Reprimand with Stipulations	8/18/20
Herriage, Teressa	RN 850116	Reprimand with Stipulations	10/22/20	Garcia Mickens, Angela Diana	LVN 187803	Reprimand with Stipulations	10/22/20
Higgins, Patricia Ann	AP108733, RX 2392, RN 595120 & LVN 140143	Warning with Stipulations	8/18/20	Miller, Paula Sue	RN 538607	Voluntary Surrender	7/20/20
Hoffman, Rosetti Juanita	LVN 336529	Remedial Education	10/19/20	Misaki, Misha	LVN 219441	Warning with Stipulations	10/22/20
Hollingshead, Florence	RN 845278	Enforced Suspension	10/22/20	Mohammed, Siraj Hamid	RN 921069	Warning with Stipulations	9/8/20
Zella	KN 04J270			Monroe, Moniqua Ariana	LVN 337876	Warning with Stipulations	8/18/20
Iollis, Stephanie Nicole	RN 860463	Warning with Stipulations and Fine	10/22/20	Montes, Luis Ballocanag	RN 736212	Warning with Stipulations	8/18/20
lughes, Jada Michelle	LVN 326916	Remedial Education with Fine	10/5/20			and Fine	
hekwoaba, Jessica Ijeoma	RN 856154	Warning with Stipulations	10/22/20	Moon, Trista Ann	RN 924343	Warning with Stipulations	8/18/20
nmon, Janine S.	RN 770869	Warning with Stipulations	8/18/20	Moreno, Blanca Estela	LVN 197268	Revoked	8/18/20
arboe, Darcie Carol	RN 815232	Reprimand with Stipulations	9/8/20	Morgan, Amber Nicole	RN 881701	Warning with Stipulations, Deferred	8/18/20
lennings, Jessica	RN 647183 & LVN 159480	Probated Suspension	10/22/20	Mugosi, Nancy Vugutsa	RN 900380	Warning with Stipulations	8/18/20
esness, Mary Lou F.	LVN 104263	Remedial Education	10/12/20	Nall, John	RN 969697	Enforced Suspension	8/3/20
ohnson, Erma Lorraine	RN 519369	Reprimand with Stipulations	8/18/20	Neeley, Michael Brian	RN 716876	Enforced Suspension	8/11/20
ohnson, Gabrielle	LVN 350516	Warning with Stipulations	10/22/20	Noorany, Ali Salim	LVN 319339	Revoked	9/8/20
ohnson, Jessica Lynn	LVN 311776	and Fine Warning with Stipulations	10/22/20	Nuncio, Tamara Rebeccah	LVN 323001	Warning with Stipulations	10/22/20
lohnson, Maria Monee	RN 726517	Remedial Education, Deferred	8/11/20	Nyonglemuga, Vera	RN 795095	Reprimand with Stipulations	9/8/20
ohnson, Stephanie Denise		Revoked	9/8/20	Obison, Obinna Stanley	LVN 345890	Warning with Stipulations	9/8/20
ohnston, Stephanie Denise ohnston, Loretta Mae	LVN 114451	Reprimand with Stipulations	8/18/20	Ogden, Genisa E.	RN 665382	Remedial Education with Fine	9/4/20
	RN 885110			Okororie, Augustine	LVN 339314	Warning with Stipulations	9/8/20
loseph, Binoy Katto, Ruth Kaitesi	RN 674462	Reprimand with Stipulations Remedial Education, Deferred	10/22/20 10/19/20	lfechukwudere Okawa Batriak Faha		and Fine	
Kelton, Kristi Lynn	RN 826763	Warning with Stipulations	9/8/20	Okoye, Patrick Eche	RN 842439	Reprimand with Stipulations Warning with Stipulations,	10/22/20
	RN 758194 & LVN 200651		9/8/20	Owens, Brandy Crystal	RN 802110	Deferred	8/18/20
Kenneth, Daoud B. Keys, Cowando Lavette	RN 799510 & LVN 200031	Probated Suspension Probated Suspension	8/18/20	Pacheco, Stephen	RN 751882	Remedial Education, Deferred	8/28/20
	LVN 132228		10/22/20	Pangilinan, Maria Emma	RN 955925	Warning with Stipulations	10/22/20
(iplinger, Jon D. (isucky, Paul Joseph		Probated Suspension Warning with Stipulations		Park, Laura	AP113262 & RN 653370	Enforced Suspension	10/22/20
<i>p</i> 1	AP107806 & RN 583176 RN 943170	Voluntary Surrender	9/8/20 9/24/20	Parker, Jeffrey Ryan	RN 661538 & LVN 160192	Enforced Suspension	8/25/20
Krawza, Allison Gail		,	9/24/20	Pennell, Robert Craig	RN 555376	Revoked	10/22/20
ancharic, Lynda R.	RN 533863 LVN 215352	Remedial Education	8/12/20	Perez, Belinda Ramos	LVN 320369	Warning with Stipulations	9/8/20
ane, Kimberly Michelle		Reprimand with Stipulations	9/8/20 8/18/20	Perkins, Austin Thomas	RN 938006	Enforced Suspension	9/30/20
ange, Ashley Nicole	RN 742579	Remedial Education, Deferred		Peterson, Nolan Robert	PTP NE RN 81689	Reprimand with Stipulations	10/22/20
.ao, Clint Abraham	RN 846410	Remedial Education with Fine	9/23/20	Pierce, Jacob Ryan	RN 778660	Warning with Stipulations	8/18/20
aw, Colby Camille	RN 895468	Voluntary Surrender	8/17/20	Placer, Erin D.	RN 634385	Enforced Suspension	8/13/20
ayman, Dashia Leniece	RN 931984 & LVN 327871	Probated Suspension Warning with Stipulations	8/18/20	Quila, Winfred Solomon	RN 766278	Warning with Stipulations	10/22/20
.eal, Kenia	LVN 328769	and Fine	8/18/20	Quiroz, Rachel Danielle	RN 815822	Reprimand with Stipulations	9/8/20
.erma, Soraida	RN 649581	Remedial Education	9/3/20	Rahman, Katarina Street	RN 806271	Reprimand with Stipulations	10/22/20
esell, Danielle Joanna	RN 821025	Remedial Education	10/2/20	Raji, Priscilla Olanrewaju	LVN 341796	Warning with Stipulations	8/18/20
i, Hsiaohsuan	RN 804462	Voluntary Surrender	9/14/20	Raley, Glory K.	RN 741484	Warning with Stipulations,	10/22/20
overa, Shelby Diane.	AP145130 & RN 864418	Remedial Education with Fine	9/4/20	Ramirez, Consuelo	DN / 5000/	Deferred	
yons, Christopher John	PTP CO RN 1620404	Warning with Stipulations	8/18/20	Manuela	RN 659026	Remedial Education, Deferred	10/7/20
Aadrid, Karen Elaine	RN 722784 & LVN 126799	Voluntary Surrender	9/1/20	Rasmussen, Mary Kimberly	RN 868885	Voluntary Surrender	8/3/20
Nanning, Jenneta Cranston	RN 539102	Remedial Education	9/28/20	Reeser, Sherrel Leaanne	RN 1018229 & PTP NM RN	Warning with Stipulations	10/22/20
Nar, Stephanie Marie	RN 905775 & LVN 224680	Probated Suspension	8/18/20		72789	and Fine Warning with Fine	
Nares, Marina Ellen	RN 926223	Remedial Education with Fine	9/9/20	Reyes, Vanessa Bishardson, Amanda Ann	LVN 177058	Warning with Fine	10/22/20
Nartinez, Melissa Sueann	LVN 182184	Warning with Stipulations	9/8/20	Richardson, Amanda Ann	RN 923468	Warning with Stipulations	8/18/20
Nartinez, Monica	LVN 320276	Reprimand with Fine	8/18/20	Robbins, Angela Danell	LVN 222596	Warning with Stipulations	10/22/20
Aartinez, Patricia Michelle	LVN 316795	Warning with Stipulations,	9/8/20	Roberson, Bryant Baxter	RN 762143	Warning with Stipulations	10/22/20
•		Deferred Warning with Stipulations		Robert, E. Renee	RN 517994 LVN 184913	Voluntary Surrender	7/16/20
AcCardle, Sheila Marie	RN 815555		8/18/20	Rodriguez, Elsa Catalina		Warning with Stipulations	8/18/20

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Name	License Numbers	Discipline	Action Date
lodriguez, Fernando ransisco	RN 868129 & LVN 313548	Warning with Stipulations	9/8/20
ogers, Judith Renea	LVN 307366	Reprimand with Stipulations	10/22/20
oney, Chandra Lorraine	LVN 177544	Warning with Stipulations	9/8/20
osario, Francisco Alberto	LVN 313370	and Fine Revoked	8/18/20
alazar, Teresa	RN 778418 & LVN 203254	Warning with Stipulations	8/18/20
anchez, Venus	LVN 345543	Reprimand with Stipulations	8/18/20
Santacruz, Rene A.	RN 932884	Probated Suspension	9/8/20
Santiago, Rosa	LVN 342802	Warning with Stipulations	9/8/20
Santos, Carlos Anthony	RN 640263	Remedial Education with Fine	10/2/20
Scott, Heidi Elizabeth	LVN 133788	Revoked	10/22/20
Scruggs, Kyol	RN 841489	Warning with Stipulations and Fine	8/18/20
Sexton, Kaci Renee	LVN 311119	Warning with Stipulations and Fine	10/22/20
Shannon, Lisa Marie	LVN 205308	Warning with Stipulations	9/8/20
Shipp, June Larail	RN 578664	Limited License	8/18/20
Shumake, Ryan Matthew	RN 899113	Enforced Suspension	10/8/20
Singletary, Michelle Renee	LVN 209241	Reprimand with Stipulations	10/22/20
Skinner, Joyce Ann	RN 596905	Probated Suspension	10/22/20
Smith, Harlan Eugene	RN 632764	Revoked	8/18/20
mith, Josie G.	RN 668114 & LVN 118233	Warning with Stipulations	9/8/20
mith, Lindsay Renee	LVN 222431	Probated Suspension	10/22/20
mith, Portia Kay	RN 680343 & LVN 144683	Warning with Stipulations and Fine	10/22/20
mith, Ricky Dewayne	RN 917542	Warning with Stipulations	10/22/20
olis, Tonya Mayeux	RN 888956	Remedial Education	10/16/20
osa, Ali Louise	LVN 116267	Voluntary Surrender	10/8/20
outh, Tawanna Kay	RN 639789	Warning with Stipulations and Fine	10/22/20
outhern, Treva Carol	LVN 149376	Warning with Stipulations	8/18/20
tapleton, Jacqueline Narie	RN 907656	Reprimand with Stipulations and Fine	9/8/20
tewart, Jimmy Dale	LVN 307175	Remedial Education	10/12/20
tuermer, Shawna Amber	RN 919937	Warning with Stipulations	8/18/20
tunson, Ashley Aretta	LVN 324276	Voluntary Surrender	8/31/20
wynenberg, Victoria Jurges	AP121892, RX 12580 & RN 749660	Warning with Stipulations	8/18/20
aylor, Jackie Lyn	LVN 229746	Reprimand with Stipulations and Fine	9/8/20
aylor, Julia Rose	LVN 321022	Revoked	8/18/20
aylor, Robin Raquel	LVN 123079	Remedial Education	9/21/20
empleton, Dale Clyde	RN 573863	Remedial Education	10/12/20
hompson, Michael Glenn	RN 912327	Warning with Stipulations	10/22/20
hompson, Nicole Danielle	LVN 335282	Warning with Stipulations	8/18/20
hompson, William David	RN 762151	Warning with Stipulations	8/18/20
hornton, Damonia Joy	LVN 324575	Reprimand with Stipulations	10/22/20
orres, Ricardo Javier	RN 807217 & LVN 215495	Remedial Education, Deferred	8/6/20
owster, Khristina Rochelle	RN 799193	Reprimand with Stipulations	10/22/20
urner, Crystal Lynn	RN 830185	Revoked	8/18/20
lland, Connie	RN 979429	Revoked	8/18/20
tley, Michael William	LVN 214625	Warning with Stipulations and Fine	8/18/20
Jzomba, Jude Ngozi	RN 843055	Remedial Education with Fine	8/6/20
/alchar, Julie Ann	RN 571218	Revoked	9/8/20
/aldez, Rebecca Elena	RN 954885	Reprimand with Stipulations	10/22/20
		, , , , , , , , , , , , , , , , , , , ,	
ang, Aquillia Oneatha	RN 934616	Warning with Stipulations	8/18/20

Name	License Numbers	Discipline	Action Date
Varghese Alias, Amith	RN 933071	Warning with Stipulations	9/8/20
Vidal, Joe Jeffrey	RN 697497	Probated Suspension	9/8/20
Villegas, Victoria	RN 793178	Reprimand with Stipulations	8/18/20
Waddle, Janette Laverne	LVN 158580	Remedial Education	10/13/20
Wade, Christina Ann	AP120310, RX 11288 & RN 685064	Limited License	8/18/20
Walker, Heather Monique	RN 748844	Warning with Stipulations	8/18/20
Wambo, Fred	RN 782419 & LVN 198143	Warning with Stipulations	9/8/20
Weatheread, Jennifer Lynn	RN 697008 & LVN 185236	Revoked	8/18/20
White, Megan Leigh	RN 856272	Warning with Stipulations	8/18/20
Wieners, Susan Marie	RN 634569	Warning with Stipulations	8/18/20
Wilga, Samantha Michele	RN 901757	Reprimand with Stipulations	8/18/20
Wilhelm, Tina M.	RN 626273 & LVN 145037	Probated Suspension	10/22/20
Wilkerson, Dawn Liller	RN 848998	Warning with Stipulations	8/18/20
Willars, Liliana	RN 647185 & LVN 160790	Warning with Stipulations	10/22/20
Williams, Reanee L.	LVN 198398	Warning with Stipulations	10/22/20
Willis, Leon	LVN 158166	Warning with Stipulations	8/18/20
Winters, Leah Chante	LVN 307898	Revoked	8/18/20
Womack, Amber	RN 873997	Reprimand with Stipulations	10/22/20
York, Jelisha Cherish	LVN 224011	Probated Suspension	9/8/20
Zepeda Esquivel, Ricardo	RN 903753	Remedial Education with Fine	10/12/20
Zoller, Melissa Leann	RN 914410	Warning with Stipulations	10/22/20

Abbreviations in the Notice of Disciplinary Action Section

PTP Privilege to Practice in Texas, also known as Nurse Licensure Compact Privilege, associated with the indicated state and license. States are abbreviated using the official two letter state abbreviations of the United States Postal System.

RX Prescription Authorization

Statistical Information

The 261 disciplinary actions reported in this bulletin represent only 0.058% of all nurses who are currently licensed to practice in the State of Texas. As of September 2020, 99.69% of currently licensed Registered Nurses and 99.62% of currently licensed Vocational Nurses were without discipline according to Board records.

Texas Peer Assistance Program for Nurses (TPAPN): Peer Support Partner Workshop

The Texas Peer Assistance Program for Nurses (TPAPN) provides support, monitoring, accountability, and earned advocacy to Texas nurses who have an identified substance use and/or mental health condition or related incident. Peer Support Partners are an essential part of TPAPN.

The Peer Support Partner is a nurse volunteer who provides peer support to nurses participating in TPAPN. Peer Support Partners meet or speak with their assigned participants on a regular basis and communicate regularly with their assigned participants' case managers.

Peer Support Partner training workshops are held regularly. The next Peer Support Partner workshop will be virtual and is scheduled for Friday, February 12, 2021. The registration information will be accessible on the TPAPN website prior to the event.

For more information about TPAPN, including Peer Support Partners, and the upcoming training please visit the TPAPN website: www.tpapn.org.

K-12 COVID-19 Testing Project in Texas Schools

In October 2020, the United States Health and Human Services Department, as part of the Nation's Coronavirus Testing Strategy, distributed 150 million Abbott BinaxNow rapid test kits across the nation. The Texas Division of Emergency Management (TDEM), in coordination with the Texas Education Agency (TEA), was directed to ensure the effective distribution of the test kits to Texas school systems.

Participating school systems are provided with the test kits, personal protective equipment (PPE), product training, and support to refill supplies. The rapid test kits are for the exclusive use and control of the school system. The policy and use of the kits are at the discretion of the school systems' administration.

School nurses may find themselves responsible for testing students and/

or staff in their schools. The Nursing Practice Act (NPA) describes a defined limit to nursing practice, as nursing practice "does not include acts of medical diagnosis or the prescription of therapeutic or corrective measures" [NPA Sec. 301.002(2)&(5)]. Professional and vocational nursing requires the acts/procedures being performed be within the scope of that particular nurses' practice and appropriate orders be in place for acts that go beyond the practice of nursing. In order for the nurses in participating schools to use these test kits, appropriate physician delegation orders must be in place. These orders may be found at: https://tdem.texas. gov/wp-content/uploads/2019/08/ Lazar-Delegation-Letter-102720_FI-NAL.pdf

Additional information on the **TDEM website** includes, but is not limited to the following:

- Testing Support Guide
- Best Practices for Schools
- How to Video
- Frequently Asked Questions
- K12 Quick Guide
- Test Coordinator Responsibilities
- Test Administrator Responsibilities
- Medical Waste Disposal

You may also find additional information related to the K-12 COVID-19 Testing Project on the Texas Education Agency's (TEA) website at: https://tea.texas.gov/texas-schools/ health-safety-discipline/covid/covid-19-support-public-health-orders.

Electronic Submission of APRN Application Supporting Documents

The APRN Department is pleased to announce that email submission of Verification of Completion (Part II) forms and electronic graduate level transcripts will be permitted on an ongoing basis. Staff encourages the electronic submission of documents via these mechanisms for more timely processing of applications. While forms submitted by mail will still be accepted, processing timeframes may be delayed for documents sent by postal mail.

VERIFICATION OF COMPLETION

(Part II): The form must be completed *in its entirety*. However, two exceptions to the requirements will be made when the form is submitted via email. The program director's electronic signature will be accepted in lieu of the requirement for an original signature. Additionally, an embossed school seal is not required when the document is submitted via email. If the program chooses to submit the Part II via email, it must be submitted directly to aprn@bon.texas.gov from the program official's institutional email address. Applicant submissions of the document will not be accepted. Likewise, forms submitted from a personal email account will not be accepted. Please note, if authentication of the form cannot be confirmed, it is possible the APRN Department will reject the electronic version and require submission of the form via postal mail.

The exceptions outlined above only apply to the email submission of the Verification of Completion form. If the program chooses to mail an original hard copy to the Board's physical address, an original "wet" signature and school seal are still required.

TRANSCRIPTS: The APRN Department accepts electronic transcripts (e-transcripts) from the following sources:

National Student Clearinghouse, Parchment, eScrip-Safe, Credential Solutions, or official e-transcripts requested by the graduate and made directly accessible to the APRN Department via the school's registrar. Applicants should contact their academic institution for information regarding how to initiate this process. Board staff cannot request a transcript on an applicant's behalf.

E-transcripts must be sent to aprn@ bon.texas.gov. Students are <u>not</u> permitted to submit personal copies (.pdfs) of transcripts. The transcript must be emailed directly from one of the sources listed above.

If transcripts are submitted via postal mail, original parchment documents are required. Photocopies of transcripts will not be accepted.

Updated Interactive Nursing Jurisprudence and Ethics Online Courses

The Board has recently launched two revamped online courses, the Texas Online Nursing Jurisprudence Exam Prep Course and the Interactive Online Course: Nursing Regulations for Safe Practice. These courses are set in a new interactive platform with updated information and resource links.

The Texas Online Nursing Jurisprudence Exam Prep Course offers an overview and interactive instructions on the subject areas covered in the exam. The course is delivered online with the ability to bookmark "Hot Topics" for a guick review. The course, complete with training on how to locate information for further review and printable resources that will aid study and practice questions, will be useful not only for exam preparation but for future nursing practice. This course is geared toward those seeking licensure in the State of Texas. This course **DOES NOT** meet the two (2.0) hour CNE requirement for nursing jurisprudence and ethics established during the 2013 Legislative Session.

The Interactive Online Course: Nursing Regulations for Safe Practice is intended to enhance the knowledge of Texas licensed nurses at all levels of licensure in the area of Texas nursing laws, rules, and regulations by addressing the Texas Nursing Practice Act, the Texas Board of Nursing (Board) Rules and Regulations, Board position statements, and other resources found on the Board's website in an effort to promote and protect the welfare of the citizens of Texas. This course DOES meets the two (2.0) hour CNE requirement for nursing jurisprudence and ethics established during the 2013 Legislative Session and offers a total of 2.8 approved CNE hours. This course cannot be used to fulfill the nursing jurisprudence and ethics stipulation that is required for all Board disciplinary orders.

Both courses cost \$25.00.

In addition, the Board offers Nursing Jurisprudence and Ethics workshops throughout the year. The workshop schedule and two new course offerings can be found on the Board's **CNE Course Catalog**.

Updated Prescriptive Authority for APRNs Online Course

Board staff have recently updated the online course Prescriptive Authority for APRNs available within the **CNE course catalog** on the Board's website. Registration for the course costs \$25. This online course provides information on the current laws and regulations governing prescriptive authority in the State of Texas. The course is designed to help the learner develop a greater understanding of delegation of prescriptive authority to Texas APRNs and requirements that must be met for APRNs to be in compliance with Texas laws and BON rules. The course has been approved for 1.2 contact hours of Continuing Nursing Education which can be used towards the five hours of pharmacotherapeutics content required for APRNs renewing prescriptive authority.

	Texas Board of Nursing Meeting Schedule					
	2021 Board Meeting Dates					
	January 21-22*	April 22-23				
	July 22-23	October 21-22				
	2021 Eligibility a Committee N	and Disciplinary leeting Dates				
	February 9	March 23				
	May 11	June 8				
	August 10	September 14				
	November 9	December 14				
۵	Board and Eligibility & Di	sciplinary Committee Meetir				

All Board and Eligibility & Disciplinary Committee Meetings will be held in Austin at the William P. Hobby Building located at 333 Guadalupe, Austin, Texas, 78701.

* - Due to the COVID-19 Virus, the Board meeting scheduled for January 21-22nd, 2021 may be held virtually. Meeting access infomation will be posted at www.bon.texas.gov

Board of Nursing Contact Information

MAIN NUMBER
ENFORCEMENT
OPERATIONS
CUSTOMER SERVICE(512) 305-6809 License Renewals, Endorsement, Examination, or Continuing Education for Nurseswebmaster@bon.texas.gov
SALES OF LISTS(512) 305-6848 Electronic Nurse Files Publications
PROFESSIONAL AND VOCATIONAL NURSING
ADVANCED PRACTICE(512) 305-6843 APRN Application and Prescriptive Authority Proceduresaprn@bon.texas.gov
NURSING EDUCATION(512) 305-6816
NURSING PRACTICE(512) 305-6802 Nursing Practice Issues Legislation
Workshop Information(512) 305-6844 Workshop e-mail inquiriesworkshops@bon.texas.gov
NEWSLETTER INFO(512) 305-6842
WEB Addresswww.bon.texas.gov Refer e-mail inquiries to:webmaster@bon.texas.gov



The purpose of the Texas Board of Nursing Bulletin is to disseminate information to nurses licensed by the State of Texas, their employers, health care providers, and the public concerning laws and regulations established by the Texas Board of Nursing related to the safe and legal practice of nursing. The Texas Board of Nursing Bulletin provides information on current issues and trends in nursing regulation, status of nursing education programs, information regarding licensure and nursing practice, and disciplinary action taken against licensees who violated the Nursing Practice Act or **Board Rules and Regulations.**

Texas Board of Nursing 333 Guadalupe, Suite 3-460 Austin, Texas 78701-3944



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Office Hours and Location

The office of the Texas Board of Nursing is located in the William P. Hobby Building, located at the corner of 4th and Guadalupe in downtown Austin. The mailing address is: 333 Guadalupe, Suite 3-460, Austin, Texas 78701-3944. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except for designated holidays. However, during the COVID-19 crisis, no visitors are permitted in the Board's office.

The Texas Board of Nursing is an equal opportunity/ affirmative action employer and does not discriminate on the basis of race, color, religion, sex, national origin, age, or disability in employment or in the provision of services, programs, or activities.

The *Texas Board of Nursing Bulletin* is published quarterly by the Texas Board of Nursing. In compliance with the Americans with Disabilities Act, this document may be requested in alternate formats by contacting the Board's office, (512) 305-7400 (Voice), (512) 305-7401 (FAX), or by visiting the William P. Hobby Building, 333 Guadalupe, Suite 3-460, Austin, Texas.

Nursing Delegation: Distribution of the Workload**

This course provides all licensed nurses with information on the current standards of nursing practice, rules, and regulations applicable to nursing delegation in Texas, providing nurses with 2.0 Continuing Nursing Education contact hours. Cost: \$25.00.

Nursing Peer Review: Safe Harbor Nursing Peer Review and Whistleblower Protections

The purpose of this online continuing education offering is to provide all licensed nurses with information on the current standards of nursing practice, rules, and regulations applicable to Safe Harbor Nursing Peer Review and Whistleblower Protections in Texas. This course is approved for 1.3 CNE contact hours. Cost \$25.00

Nursing Peer Review: Incident-Based Nursing Peer Review and the Minor Incidents Rule

The purpose of this online continuing education offering is to provide all licensed nurses with information on the current standards of nursing practice, rules, and regulations applicable to Incident-Based Nursing Peer Review and the Minor Incident Rule in Texas. This course is approved for 1.6 CNE contact hours. Cost \$25.00

BON Lifelong Learning Account

Depending on the continuing education course, you may be required to log into your individual account to complete follow-up learning activities and/or course evaluations after a workshop, webinar, or online course in order to receive your CNE certificate of completion.

Your BON Lifelong Learning Account will also contain links for workshop handouts, any required forms, post-activity certificates of completion, and other helpful resources for each registered activity. If questions arise during your registration or during an online learning course, there are specific Help links throughout the process to direct you to the dedicated Online Learning Help Desk.

Secure online payments are completed using major credit cards, bank cards (those with Visa or MasterCard logos), or online checks. Registration payments submitted directly to the Board will be returned and the registration process will be delayed. Employers, organizations, or groups can complete payment for multiple registrants with the purchase of a bulk voucher. The bulk voucher system will send the voucher information to the group coordinator for distribution to individual registrants. Each individual will use the voucher as the form of payment during her/his own online registration.

BON Continuing Competency Offerings Address Nursing Jurisprudence and Ethics Requirement

In 2013, the 83rd Regular Texas Legislative Session passed a law that specified continuing education requirements for all nurses. Senate Bill (SB) 1058 requires nurses to complete at least two hours of continuing education related to nursing jurisprudence and ethics before the end of every third two-year licensing period. The BON has two continuing education offerings which meet the requirement: the workshop titled, "Protecting Your Patients & Your Practice, Nursing Jurisprudence & Ethics", and the interactive online course titled, "Nursing Regulations for Safe Practice". For more information about BON continuing competency requirements, visit the Board's website, click on Laws and Rules, then Rules and Regulations, and then Chapter 216.

<u>Please Note:</u> Workshop participants more than 10 minutes late or who leave prior to the end of the workshop will not receive CNE credit or meet BON stipulations.

Visit the BON CNE Catalog at https://www.bon.texas. gov/catalog/ for the latest information.



Texas Board of Nursing 333 Guadalupe, Suite 3-460 Austin, TX 78701

Texas Board of Nursing

Learning Opportunities: 2021



Continuing Competency Workshops and Online Educational Offerings

The Texas Board of Nursing is excited to offer learning opportunities for 2021. Nurses can explore a variety of topics designed to provide the most current information to support safe nursing practice. Space is limited, early registration is recommended.



Protecting Your Patients & Your Practice, Nursing Jurisprudence & Ethics^{**#+>}

These virtual workshops have been approved for 7.5 contact hours of CNE.

March 10, 2021 (Wednesday)

June 16, 2021 (Wednesday)

September 8, 2021 (Wednesday)

September 29, 2021 (Wednesday)

This workshop has been approved for 8.6 contact hours of CNE unless otherwise indicated.

November 9, 2021 (Tuesday)

Omni Corpus Christi Hotel 900 North Shoreline Blvd Corpus Christi, TX 78401

CNE credit: 8.6 contact hours of CNE

Note: Computer speakers are REQUIRED for all virtual workshops. No cash accepted for payment. Early registration is encouraged.

Cost: Virtual workshop preregistration \$79.00. In-person workshop preregistrion \$109.00 (Corpus Christi)

Time: 8:00 am to 3:30 pm Central Standard Time (CST) for virtual workshops Corpus Christi - 8:00 am to 4:30 pm CST

Note: Due to COVID-19, BON workshops have transitioned to virtual delivery as needed for the safety of participants. Visit the BON CNE Catalog at https://www.bon.texas.gov/catalog/ for the latest information.

How to Register

You can register for all Board of Nursing (BON) educational offerings--online courses and workshops--through the BON CNE Course Catalog. To register for a BON workshop or online course, please visit our website at www.bon.texas.gov and select the CNE Course Catalog icon. You will receive a purchase confirmation and event reminders via your email address leading up to the scheduled activity and for post activity reminders in order to help you access your CNE Certificate of Completion. Instructions and help for confirming that your workstation is compatible with the online process are provided for each event. All of the BON CNE activities include online components that must be completed in conjunction with the activity in order to receive completion credit and certificates. When you register online, a BON Lifelong Learning Account is created that will be your home for accessing handouts, evaluations, and certificates.

Legend

- ** This continuing nursing education offering was approved by the Texas Board of Nursing. The Texas Board of Nursing is an approved provider of continuing education by the Alabama Board of Nursing, ABNP1509, expiration date July 28, 2024.
- # This offering meets the 2-hour CNE requirement for nursing jurisprudence and ethics established during the 2013 Legislative Session.
- + This offering satisfies the nursing jurisprudence and ethics requirement for Board orders.
- @ This course does not award CNE contact hours.
- > The Authors, Speakers/Presenters, Content Reviewers and Experts declare that there are no conflicts of interest.

Please note: To receive contact hours for the workshop, the participant must:

- 1. Sign in at the Registration Table or online platform.
- 2. Arrive no more than 10 minutes late
- 3. Attend the entire activity
- 4. Complete the online evaluation form

Reminder: You are encouraged to bring a jacket or sweater as temperatures in the meeting rooms can fluctuate.



Nursing Regulations for Safe Practice**#

This interactive online CNE course is easy to access on any schedule. Approved for 2.8 contact hours. Cost: \$25.00.

Prescriptive Authority for APRNs**

This course provides information on the current laws and regulations governing prescriptive authority in the State of Texas. The course is designed to help the learner develop a greater understanding of delegation of prescriptive authority to Texas APRNs and requirements that must be met for APRNs to be in compliance with Texas laws and BON rules. Approved for 1.2 contact hours. Cost: \$25.00.

Documentation: So Let It Be Said...In Writing That Is**

The purpose of this online continuing education activity is to provide all licensed nurses with information on the current standards of nursing practice, rules, and regulations applicable to nursing documentation in Texas. Approved for 1.4 contact hours. Cost: \$25.00.

Texas Online Nursing Jurisprudence Exam Prep Course[®]

The BON has developed a Nursing Jurisprudence Exam Prep Course that offers interactive instruction on the subject areas covered on the Nursing Jurisprudence Exam (NJE). The prep course is delivered online with the ability to bookmark "Hot Topics" to review later. The course, complete with training on how to locate information on the BON website, also includes access to printable resources and practice questions that will be useful, not only for NJE preparation but also for your future nursing practice. Cost: \$25.00.

Determining APRN Scope of Practice**

The purpose of this online continuing education activity is to provide advanced practice registered nurses (APRNs) with information on the current standards of nursing practice, rules, and regulations applicable to the advanced practice scope of practice in Texas. Approved for 1.4 contact hours. Cost: \$25.00.